



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

July 16, 2012

Shane Jeffries, District Ranger
Bend/Fort Rock Ranger District
63095 Deschutes Market Road
Bend, Oregon 97701

Re: EPA Region 10 Comments on the Forest Service Draft Environmental Impact Statement for Mt Bachelor Ski Resort Improvements in the Deschutes National Forest (EPA Project Ref: 11-016-AFS).

Dear Mr. Jeffries:

This review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our Section 309 authority, our review of the DEIS considers the expected environmental impacts, and the adequacy of the EIS in meeting procedural and public disclosure requirements of NEPA.

The DEIS analyzes two alternative development scenarios that would implement improvements to the Mount Bachelor Ski Resort pursuant to a recently revised master development plan (MDP). Proposed enhancements include actions to enhance facilities at the ski resort including development of the Eastside "pod" for additional ski opportunities, modifying and installing additional chair lifts, construction of new lodges/expansion of existing lodges, and new facilities to promote summer recreation. Alternative A differs from the Proposed Action in that it does not include a new lower catchline. We focused our review on the Proposed Action.

In our April 29, 2011 scoping comments, the EPA emphasized the need to protect water quality and watershed health. We believe the DEIS adequately analyzes and addresses these issues. We also referenced Executive Order (E.O.) 13423 (Strengthening Federal Environmental, Energy, and Transportation Management) and suggested that the proposed construction presents an opportunity to utilize sustainable building and water management practices.

In responding to these suggestions, DEIS states on page A-4 that the MDP commits to having all facilities and activities, both summer and winter, located, constructed and undertaken in an environmentally responsible manner (MDP p. IV-1). We appreciate the response and support this direction. As the Final EIS is developed, we continue to encourage the Deschutes National Forest to incorporate additional detail as it relates the sustainable building practices. In particular, we would like to see the FEIS contain detail related to waste reduction efforts and management of construction and demolition debris. We would also like to see additional information about efforts to reduce the consumption of energy, water, and materials. We recognize that compliance with E.O 13423 is not mandatory for facilities developed by private entities using National Forest System lands under permit,

but we believe that providing this information would help the public and reviewers to understand how the direction in the MDP will translate into on the actions on the ground. We also believe that including this information could help to maximize the sustainability of the proposal and the resort's energy conservation.

Because our review did not identify any environmental impacts that should be avoided in order to fully protect the environment, we have rated this EIS as Lack of Objections (LO). An explanation of this rating is enclosed. We appreciate the opportunity to participate early in the planning process for this project. If you have questions about our comments, please contact me at (206) 553-1601 or by electronic mail at reichgott.christine@epa.gov, or you may contact Teresa Kubo of my staff at (503) 326-2859 or by electronic mail at kubo.teresa@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Christine B. Reichgott". The signature is fluid and cursive, with the first name "Christine" and last name "Reichgott" clearly legible.

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.